



# STATE OF WASHINGTON

*Olympia, Washington 98504*

June 5, 2000

Mr. Rodney Slater, Secretary  
U.S. Department of Transportation  
400 Seventh Street S.W.  
Washington, D.C. 20590

Dear Secretary Slater:

In our March 22, 2000, letter to President Clinton regarding the U.S. Supreme Court decision in *United States v. Locke*, we expressed our concerns with the potential long-term negative impacts the decision could have on Washington's irreplaceable marine environment. As you know, our natural resources are particularly vulnerable to damage from a major oil spill. Moreover, as trade increases significantly over the next two decades, bringing more and larger ships to our waters, the risk of a spill will grow.

The primary responsibility for protecting our waters now lies with Congress and the Coast Guard. We are fully aware of the Coast Guard's recent budget cuts, personnel reductions, and concerns with readiness. We are also in a position to help. Thanks to the foresight of the citizens of Washington and the state Legislature, we have a very credible and competent vessel oil spill prevention program and staff. The Supreme Court decision creates the need for increased state and federal cooperation to ensure continued protection of Washington waters. Washington State is ready to work with the Coast Guard to create a world-class federal/state vessel oil spill prevention partnership that will take advantage of all the government resources available to protect our invaluable resources and species.

The combined program we envision would include several critical elements:

- Delegation of federal vessel inspection authority to Washington Department of Ecology Vessel Inspectors. The combination of the experienced and highly-trained state vessel inspectors and the Coast Guard's equally capable vessel inspection team would both increase the number of vessel inspections conducted and enable federal and state inspectors to conduct more comprehensive evaluations of vessels.
- Complete and comprehensive information sharing between the Coast Guard and the Department of Ecology on vessel risk factors and vessel incidents in and near Washington waters.

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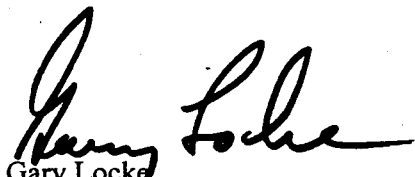
- A coordinated effort by both the Coast Guard and the Department of Ecology to adopt new federal and state regulations that address critical gaps in the marine safety regime created by the Supreme Court decision.
- Continuation of the state's tank vessel oil spill prevention plan program as a voluntary program for those tank vessel operators who desire to go the "extra mile" in spill prevention. Several leading companies have already expressed an interest in continuing the program.

The existing Memorandum of Agreement (MOA) on Oil Pollution Prevention and Response between the Thirteenth Coast Guard District and the state of Washington provides an excellent vehicle for describing and memorializing some of the elements of the combined federal/state program we are proposing. Unfortunately, it is somewhat outdated and lacks the specificity required to achieve an effective combined program.

Initial discussions with the Coast Guard have resulted in an understanding that the existing MOA should be revised. We ask that you ensure the process of revising and updating the MOA is initiated and completed in a timely manner. The Department of Ecology Spills Program staff and Ecology Division of the state Attorney General's Office are ready to begin work with Thirteenth Coast Guard District staff on the Agreement. In the interest of quickly renewing and restoring an effective federal/state partnership on oil spill prevention and response issues, we would like to complete negotiations and execution of a new MOA before the end of 2000. We hope the Coast Guard will be working toward a similar time frame.

We look forward to working with you and the Coast Guard to safeguard our environment while expanding marine commerce and trade.

Sincerely,



Gary Locke  
Governor



Christine O. Gregoire  
Attorney General

cc: President Bill Clinton  
Vice President Al Gore  
U.S. Senator Slade Gorton  
U.S. Senator Patty Murray  
U.S. Representative Jay Inslee  
U.S. Representative Jack Metcalf  
U.S. Representative Brian Baird  
U.S. Representative Richard "Doc" Hastings

U.S. Representative George Nethercutt  
U.S. Representative Norm Dicks  
U.S. Representative Jim McDermott  
U.S. Representative Jennifer Dunn  
U.S. Representative Adam Smith  
Admiral James Loy, USCG  
Rear Admiral Robert North, USCG  
Rear Admiral Erroll Brown, USCG